

Intermediate School District Plan Objection Hearing Procedures



*Office of Special Education and
Early Intervention Services*

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“Show me how this helps teachers teach and children learn.”

MICHIGAN DEPARTMENT OF EDUCATION DECISION MAKING RULER - 2001



INTERMEDIATE SCHOOL DISTRICT PLAN OBJECTION HEARING PROCEDURES

When the Michigan Department of Education (Department) receives an objection to an intermediate school district (ISD) plan (plan) objection from a local constituent district, public school academy or the parent advisory committee that specifies the portion of the ISD plan with a specific statement(s) of the reasons for the objection and proposed alternative provisions, the Department shall designate a hearing officer within 7 calendar days. The Department shall provide notice of the hearing. The hearing officer shall:

- 1) Set a designated date(s) of the hearing, but not later than 30 calendar days from receipt of the written objection;
- 2) Determine who shall be the spokespersons for the ISD and the agency filing the objection;
- 3) Determine a reasonable time and place for the hearing;
- 4) Establish time lines to receive a list of documents to be used as evidence and a list of persons to provide testimony at the hearing;
- 5) Include in the hearing record any responses to the ISD plan objection from the intermediate school district, local constituent district, public school academy, or the parent advisory committee;
- 6) Secure the services of a court reporter to prepare a transcript of the hearing proceedings; and
- 7) Require party representatives to appropriately mark exhibits for identification purposes.

The hearing officer has the authority to do all of the following, in addition to those specified above:

- 1) Require a prehearing conference to clarify plan objections;
- 2) Specify those portions of the ISD plan that are not under objection;
- 3) Control the behavior of the participants of the ISD plan objection hearing; and,
- 4) Grant time extensions to deadlines for good cause shown.

The hearing officer shall render a written decision within 30 calendar days at the close of hearing. The decision shall include:

- 1) Preliminary notes and/or clarifications;
- 2) Specific portions of the plan that are under objection;
- 3) Finding of fact for each objection;
- 4) A hearing officer decision for each objection and rationale for that decision;
- 5) Conclusion of law;
- 6) Provide a recommendation(s) to the Superintendent of Public Instruction; and,

Upon receipt of the hearing officer's decision, the Department will mail the decision to all parties to the ISD plan.

Any exception to the hearing officer's decision received within 20 calendar days shall be submitted by the Department, along with the hearing decision, to the Superintendent of Public Instruction. The final decision from the Superintendent of Public Instruction shall be issued within 30 calendar days from the date the exceptions were filed.